IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

WEDNESDAY, THE 17TH OCTOBER 2007 / 25TH ASWINA 1929

Tr.P(C).No. 223 of 2007()

(O.P.(HMA) NO.717/06 OF FAMILY COURT,THIRUVANANTHAPURAM)

PETITIONER/RESPONDENT:

R.REKHA, AGED 30 YEARS,
D/O.RAVINDRAN NAIR, "SREEDHARAS"
MEENATHUCHERIYIL, KADANADU P.O.,
KOLLAM.

BY ADV. SRI.P.R.MILTON

RESPONDENT: PETITIONER:

RAJESH CHANDRAN, AGED 34 YEARS,
S/O.RAMACHANDRAN NAIR, T.C.22/752,
CHERUKARA VALIYAVEEDU ATTUKAL, MANACADU P.O.
THIRUVANANTHAPURAM.

BY

THIS TRANSFER PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 17/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

KSS

M.N.KRISHNAN, J

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Tr.P.(C) No.223 OF 2007

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Dated this the 17th day of October 2007

JUDGMENT

This transfer petition is filed by the wife to transfer O.P(HMA) No.717 of 2007 from the Family Court, Thiruvananthapuram to the Family Court, Kollam. It is submitted that the distance is about 90 kms. and she is having a child of six months. The distance between Thiruvananthapuram and Kollam is hardly 80 kms. and it is well connected. Even if the case is posted at Family Court, Kollam the child may have to be taken to that court. The conferment of jurisdiction by the statute cannot be changed for flimsy reasons.

Therefore, I do not find any merit in the application for transfer. But, at the same time, I make it very clear that the Family Court, Thiruvananthapuram may not insist for the personal appearance of the wife on each and every occasion and shall direct her to be present on occasions where her presence is a must just like counselling, evidence, etc. Whenever she files an application for exemption on genuine grounds, that

may also be sympathetically considered and allowed.

With these observations, the Tr.P.C. is dismissed.

M.N.KRISHNAN, JUDGE

Cdp/-